

**REMARKS**

Favorable reconsideration of this application, in light of the preceding amendments and the following remarks, is respectfully requested.

Claims 1-25 are pending in this application. Claims 1, 6, 16 and 19-24 are amended. Claim 25 is newly added. Claims 1, 6, 16 and 25 are independent claims. No claims are cancelled by this Amendment.

Applicants note with appreciation the Examiner's indication that certified copies of all priority documents have been received by the United States Patent and Trademark Office (USPTO) and that the drawings filed on February 19, 2004 have been accepted by the USPTO.

**Rejections under 35 U.S.C. § 112**

Claims 20, 21 and 23 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. The Examiner asserts that various features of the claims lack sufficient antecedent basis. The amendment to claims 20, 21 and 23 are believed to address the Examiner's concerns.

Therefore, Applicants respectfully request the rejection to claims 20, 21 and 23 under 35 U.S.C. § 112, second paragraph be withdrawn.

**Rejections under 35 U.S.C. § 103**

Claims 1, 4-6, 9, 12-14, 16, 19, and 22-23 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Smith et al. (U.S. Patent No. 7,096,416, herein Smith) in view of Fernandez et al. (U.S. Patent No. 4,947,257, herein Fernandez); claims 10, 11, 20 and 21 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Smith in view of Fernandez, and further in view of Parasnis et al. (U.S. Patent No. 6,728,753, herein Parasnis); and claims 2, 3, 8, 15, 18 and 24

stand rejected under 35 U.S.C. Applicants respectfully traverse these rejections as detailed below.

Initially, Applicants respectfully note that amended independent claim 1 recites the following.

A method of recording graphic data on a recording medium, comprising:  
(a) recording a plurality of graphic images having different color depths  
and pertaining to a main video image separately with the main video image; and  
(b) recording graphic link information to link the plurality of graphic  
images with the main video image for overlaying the main video image with the  
plurality of graphic images.

Applicants respectfully submit that at least the above-emphasized feature of amended independent claim 1 and the similar features of independent claims 6 and 16 are believed to patentably distinguish over the cited references as explained below.

To reject independent claims 1, 6 and 16, the Examiner relies on Smith and Fernandez. In particular, the Examiner asserts that column 5, lines 27-52 and FIG. 6A of Smith, which describes a content definition file teaches “graphic link information to link the plurality of graphic images with the main video image,” as recited in claim 1. Further, the Examiner relies on the Raster Assembly Processor described in Fernandez as teaching overlaying images.

Smith is directed to synchronizing different media files such as lectures slides with video data of a person lecturing about the slides. In particular, Smith is directed towards the generation of a content definition file that includes time markers along with information about the static media file 204 and the streaming media file 202 as described at column 6, line 65 to column 7, line 3, which allow the static media file 204 and the streaming media file 202 to be synchronized. Applicants respectfully submit that Smith makes no mention of the color depths of various images included in the static media file 204 and the streaming media file 202.

Accordingly, Smith fails to disclose, teach or suggest “recording a plurality of graphic images having different color depths and pertaining to a main video image separately with the main video image,” as recited in claim 1, or the somewhat similar features of independent claims 6 and 16.

Further, Smith is not concerned with recording graphic data on a recording medium or a recording medium and thus, Applicants request the Examiner not use the Smith reference in art rejections to independent claims 1, 6 and 16, which are directed to a method of recording graphic data on a recording medium or a recording medium as recited in the independent claims.

Fernandez is directed to a raster assembly processor for combining a plurality of video signals and various forms of still imagery such as text or graphics onto a single high resolution display. However, Fernandez does not appear to discuss graphics having different color depths and pertaining to a main video image recorded separately from the main video image. Instead, Fernandez is directed towards a processor for displaying a high definition television image.

Accordingly, like Smith, Applicants respectfully submit that (1) Fernandez fails to disclose, teach or suggest “recording a plurality of graphic images having different color depths and pertaining to a main video image separately with the main video image,” as recited in claim 1 or the somewhat similar features of independent claims 6 and 16, and respectfully request the Examiner not use the Fernandez reference in art rejections to independent claims 1, 6 and 16, which are directed to a method of recording graphic data on a recording medium or a recording medium as recited in the independent claims.

In light of the above, Applicants respectfully request the rejection of independent claims 1, 6 and 16, and well as the various rejections of claims 2-5, 7-15 and 17-24 dependent from independent claims 1, 6 and 16, under 35 U.S.C. § 103(a) be withdrawn.

**New Claim 25**

Applicants submit that new independent claim 25 is a method of reproducing graphic data stored on a recording medium that includes features somewhat similar to independent claim 6 and thus, is believed to be allowable for reasons similar to those mentioned above for the other independent claims.

**CONCLUSION**

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1-25 in connection with the present application is earnestly solicited.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) hereby petition(s) for a one (1) month extension of time for filing a reply to the outstanding Office Action and submit the required \$120 extension fee herewith.

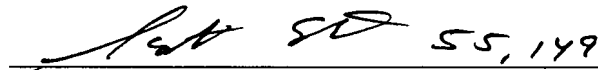
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKY, & PIERCE, P.L.C.

By

Handwritten signature of Gary D. Yacura, with the number 55,149 written next to it.

Gary D. Yacura, Reg. No. 35,416

Scott A. Elchert, Reg. No. 55,149  
P.O. Box 8910  
Reston, Virginia 20195  
(703) 668-8000

GDY/SAE/ame